

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**DEVIDA STATEN, Pro Se,**

*Plaintiff*

v.

**AMERIHEALTH CARITAS,**

*Defendant*

**Case No. 2:19-cv-02423-JDW**

**ORDER**

**AND NOW**, this 16th day of December, 2019, following a hearing on the Court's prior Order to Show Cause (ECF No. 21), and for the reasons stated on the record in open court, the Court notes as follows:

1) As set forth in the Court's prior Order, the Court rescheduled the pretrial conference pursuant to Fed. R. Civ. P. 16(a) multiple times in order to accommodate *pro se* Plaintiff Devida Staten while she searched for a new attorney (ECF No. 21);

2) After Plaintiff failed to appear for the Rule 16 conference rescheduled for November 26, 2019, the Court ordered Plaintiff to appear for a hearing on December 16, 2019 at 11:00 a.m. to show cause why the Court should not dismiss the above-captioned matter for failure to prosecute (*Id.*);

3) At the show cause hearing, counsel for Defendant provided proof of delivery of the Court's Order on Plaintiff via email and overnight delivery, as directed; and

4) Plaintiff did not appear for the show cause hearing scheduled for December 16, 2019 at 11:00 a.m.

In light of the foregoing, the Court **ORDERS** that Plaintiff's Complaint (ECF No. 1) is **DISMISSED WITHOUT PREJUDICE** pursuant to Fed. R. Civ. P. 41(b). The Clerk of Court shall mark this case closed for statistical purposes.

It is **FURTHER ORDERED** that Counsel for Defendant shall serve a copy of this Order on Plaintiff via email and via overnight delivery.

**BY THE COURT:**

/s/ Joshua D. Wolson  
JOSHUA D. WOLSON, J.